

MEMO ENDORSED

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March 6, 2008

VIA FACSIMILE - 212-805-7949
Honorable P. Kevin Castel
United States District Court
500 Pearl Street, Room 2260
New York, New York 10007-1312

*Conference from
adjourned from
March 14 to 9:45 a.m.
May 30, 2008 at
SO ORDERED
JSDJ
3-6-0*

Re: **BBC CHARTERING & LOGISTIC GmbH & CO. KG
v. VINGO RESOURCES PTY LTD and VINGO
RESOURCES LTD, 08 Civ. 0213(PKC)**

Dear Judge Castel:

We represent plaintiff, BBC Chartering & Logistic GmbH & Co. KG in the above action. This is to request a 60-day adjournment of the initial pre-trial conference scheduled before Your Honor on March 14, 2008 for reasons explained below. This is the first request for an adjournment.

Plaintiff commenced this action on January 10, 2008 by the filing of the Verified Complaint herein and obtained a writ of maritime attachment and garnishment of defendants Vingo Resources Pty Ltd. and Vingo Resources Ltd.'s assets pursuant to Rule B of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. One of the stated purposes of the action was to provide security for plaintiff's claims subject to arbitration in London. Defendants have not been notified of the attachment proceedings and have not been served with a copy of the Verified Complaint as this is not required by Rule B and such notice would defeat the purpose of the Rule B attachment. On or about January 10, 2008, plaintiff commenced daily service of the writ of attachment on various New York banks in an attempt to attach bank accounts and/or assets of defendants. To date, no bank accounts or assets of defendants have been attached but attempts are continuing.

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Based on the foregoing, we respectfully submit that the initial pre-trial conference scheduled before Your Honor on March 14, 2008 is premature at this point as attempts to attach defendant's bank accounts and/or assets are still continuing. We therefore respectfully request a 60-day adjournment of the pre-trial conference. By that time, we will know if plaintiff has been successful in attaching any assets of defendants. Of course, if any assets are attached prompt notification will be given to the Court and to the defendant for the purpose of further proceedings.

Thank you for your kind attention to this matter.

Respectfully submitted,

NOURSE & BOWLES, LLP

By:


Armand M. Paré, Jr.

AMP:ll